

REMARKS

In the Office Action,¹ the Examiner rejected claims 1-36 as unpatentable under 35 U.S.C. § 103 over U.S. Patent No. 6,275,223 to *Hughes* in view of U.S. Patent No. 6,195,094 to *Celebiler*.

By this response, Applicants have amended claims 1, 13, and 25. No new matter has been added. Exemplary support for the amendments to claims 1, 13, and 25 can be found at paragraphs 008, 020, 072, and 073 of the specification. Claims 1-36 remain pending.

35 U.S.C. § 103

Applicants respectfully traverse the rejection of claims 1-36 under 35 U.S.C. § 103. No *prima facie* case of obviousness has been established.

To establish a *prima facie* case of obviousness, the Examiner must, among other things, determine the scope and content of the prior art and ascertain the differences between the claimed invention and the prior art. See M.P.E.P. § 2144.08(II)(A). Furthermore, the Examiner must make "some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." See M.P.E.P. §§ 2143.03 and 2141(III), 8th Ed., Rev. 6 (September 2007).

A *prima facie* case of obviousness has not been established with respect to claims 1-36 because, among other things, the Office Action does not establish a *prima facie* case of obviousness Applicants' claims.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Amended claim 1 recites, *inter alia*, “receiving, in the non-pattern based user interface, an input from a user to change a position of at least one element of the data displayed in the non-pattern based user interface, wherein the pattern based user interface and the non-pattern based user interface are displayed in frames in a side-by-side relationship.” Neither *Hughes* nor *Celebiler* teach or suggest at least this portion of claim 1.

The Examiner argues that Figure 15 of *Hughes* teaches a “non-pattern based user interface” as claimed. Office Action, page 2. However, in order to annotate “code” in the “source window 1500” of *Hughes*, a user must “activat[e] the annotate item 1509” which “generates an edit annotation window which overlays the inspect source window, as illustrated in FIG. 18.” Column 14, lines 47-57. A user cannot “annotate” the “code” within the “source window” itself, and therefore, the “source window” of *Hughes* fails to constitute or suggest a “non-pattern based user interface” that can “receiv[e] . . . an input from a user to change a position of at least one element of the data displayed in the non-pattern based user interface,” as claimed. In addition, since the “edit annotation window” of *Hughes* “overlays the inspect source window,” *Hughes* fails to teach or suggest the claimed “pattern based user interface and . . . non-pattern based user interface . . . displayed in frames in a side-by-side relationship.”

Celebiler fails to cure the deficiencies of *Hughes*. *Celebiler* does not teach or suggest a “non-pattern based user interface” that can “receiv[e] . . . an input from a user to change a position of at least one element of the data displayed in the non-pattern based user interface,” as claimed. *Celebiler* discloses “panes,” one of which may include a “hierarchy.” Column 2, lines 24-27. Another “pane” may include a “list of

messages 402.” Column 4, lines 2-3. Both of these “panes” appear to follow a “pattern,” and therefore do not constitute a “non-pattern based user interface.” The “message display pane 405” may or may not resemble a “non-pattern based user interface.” Assuming *arguendo* that the “message display pane 405” resembles a “non-pattern based user interface,” which Applicants do not concede, the “message display pane 405” cannot “receiv[e] . . . an input from a user to change a position of at least one element of the data displayed in the non-pattern based user interface,” as claimed. Therefore, *Celebiler* does not teach or suggest at least this portion of claim 1.

As explained above, the elements of the claims are neither taught nor suggested by the cited references. Consequently, the Office Action has neither properly determined the scope and content of the prior art nor properly ascertained the differences between the prior art and the claimed invention. Accordingly, no reason has been clearly articulated as to why the claim would have been obvious to one of ordinary skill in view of the prior art. Therefore, a *prima facie* case of obviousness has not been established.

For at least the above reasons, the Examiner has not established a *prima facie* case of obviousness with respect to claim 1. Independent claims 13 and 25, though of different scope from claim 1, recite elements similar to those set forth above for claim 1. Claims 13 and 25 are therefore allowable for at least the reasons presented above. Claims 2-12, 14-24, and 26-36 are also allowable at least due to their respective dependence from claims 1, 13, and 25. The rejection of claims 1-36 under 35 U.S.C. § 103 should be withdrawn.

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

The Examiner is invited to call Applicants' undersigned representative to discuss any concerns or further amendments that the Examiner feels will advance prosecution in this matter.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: December 19, 2007

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